



Jonathan L. Flaxer

Partner

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Practice Areas

Reorganization & Creditors' Rights

Mr. Flaxer has devoted his career to business bankruptcy practice, successfully representing Chapter 11 debtors and trustees, creditors' committees, indenture trustees, distressed debt investors, distressed asset acquirers, and landlords. Mr. Flaxer has also led numerous successful out-of-court workouts. He is active in several professional organizations and writes and lectures on bankruptcy-related topics. He has recently been appointed to serve as Chapter 11 trustee in cases involving a real estate developer, a law firm, and a large construction company.

Representative Engagements:

- Chapter 11 trustee, Liddle & Robinson LLP
- Chapter 11 trustee, South Side House, LLC
- Chapter 11 trustee, Lehr Construction Corporation
- Boart Longyear Limited; Horsehead Industries, et al.; Exide Technologies, et al.; General Media Inc.; Exide Technologies, et al.; General Media Inc.: for indenture trustee
- LandAmerica 1031 Exchange Services, Inc.; represent trustee of liquidation trust
- The 1031 Tax Group, LLC, et al.: for Chapter 11 trustee
- Investment Properties of America, LLC, et al.: for Chapter 11 debtors
- Calpine Corp.: for ad hoc debtholder committee
- Weirton Steel Corporation: for bondholders
- Family Golf Centers, Inc. et al.: for Chapter 11 debtors
- Laidlaw, Inc.: for bondholders

- Troll Communications Inc.; LTV Networks, Inc.; The Brightsun Group, Inc.: for official committee of unsecured creditors
- Asia Global Crossing, Ltd.: for trustee
- In re Paolo Gucci, et al.: for Chapter 11 trustee

Representative Engagements

- Chapter 11 trustee for:
 - Joseph Klaynberg
 - Liddle & Robinson LLP
 - South Side House, LLC
 - Lehr Construction Corp.
- Boart Longyear Limited; Horsehead Industries, et al.; Exide Technologies, et al.; General Media Inc.; Exide Technologies, et al.; General Media Inc.: for indenture trustee
- LandAmerica 1031 Exchange Services, Inc.; represent trustee of liquidation trust
- The 1031 Tax Group, LLC, et al.: for chapter 11 trustee
- Investment Properties of America, LLC, et al.: for chapter 11 debtors
- Calpine Corp.: for ad hoc debtholder committee
- Weirton Steel Corporation: for bondholders
- Family Golf Centers, Inc. et al.: for chapter 11 debtors
- Laidlaw, Inc.: for bondholders
- Troll Communications Inc.; LTV Networks, Inc.; The Brightsun Group, Inc.: for official committee of unsecured creditors
- Asia Global Crossing, Ltd.: for trustee
- In re Paolo Gucci, et al.: for chapter 11 trustee.

Publications

- "Second Circuit, Delaware Bankruptcy court Disagree on Fraudulent Transfer Issue," *New York Law Journal*, September 19, 2016.
- "Win for Directors and Officers: MF Global Court Rules Insurance Proceeds Not Property of Bankruptcy Estate," *Client Alert*, November 24, 2014
- "Second Circuit Issues Significant Decision in Madoff Case," *Client Alert*, January 16, 2014
- "In Pari Delicto Applied; SIPA Does Not Create Rights of Contribution or Subrogation," *Client Alert*, July 8, 2013
- "Trading Claims by Creditors' Committee Members Without a Trading Order," *ABI Committee News*, Volume 2, Number 1 / May 2005
- "The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005," *Special Bankruptcy Bulletin*, April 2005

- “Supreme Court Says Market Test is Key to ‘New Value’ Contribution,” 2000, Bankruptcy Yearbook Almanac
- “United States Senate Subcommittee Holds Hearings on UNCITRAL Cross-Border Insolvency Proposal,” INSOL International World (March 1998)
- “Bankruptcy Court Power to Adjudicate Contract Disputes,” American Bankruptcy Institute Law Review, Vol. 2, No. 2 (Winter 1994)
- “Bankruptcy in China,” American Bankruptcy Institute Journal, Vol. XIII, No. 5, (June 1994)

Speaker/Author

- Panelist, Annual ABI New York City Conference (2009–2022)
- Bankruptcy & Corporate Reorganization Committee Member of the New York City Bar (September 2016–August 2021)
- Speaker and Moderator, “Getting Even: Who Sues Whom?,” ABI Panel (May 2007)
- Speaker, “Looking to Buy Assets at a Bargain? Try Bankruptcy Court,” Association of Corporate Counsel, Seminar (January 2004)
- Panelist, Colloquium on International Insolvency Law, Groupe De Reflexion Sur L’Insolvabilite, Paris, France (February 1999)
- Witness, Testified before Senate subcommittee on UNCITRAL Model Law on Cross-Border Insolvencies, (December 1997)
- Lecturer, ABA and Practising Law Institute panels on bankruptcy and creditors’ rights issues

Judicial Clerkship

- Law Clerk, Honorable Manuel J. Price, U.S. Bankruptcy Judge, Eastern District of New York

Board Experience

- Member, Board of Trustees, Westchester Jewish Council

Professional Activities

- New York City Bar Association, Bankruptcy & Corporate Reorganization Committee, Voidable Transactions Subcommittee
- Panel of Mediators, US Bankruptcy Court, Southern District of New York

Awards

- Included among New York Super Lawyers (2017-2022)

Education & Honors

- Brooklyn Law School, J.D., Cornelius W. Wickersham Constitutional Law Prize
- New York University. B.A.

Prior Work Experience

- Law Clerk, Honorable Manuel J. Price, U.S. Bankruptcy Judge, Eastern District of New York

Bar Admissions

- State of New York
- U.S. District Court, Southern and Eastern Districts of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Supreme Court